REMARKS

I. Summary of the Office Action

Claims 1-5, 7, 9-32, 34, 36-63, 65-90, and 92-129 were pending in this application[1].

Claims 110-123 are withdrawn from consideration.

Claims 1-5, 10, 11, 13-16, 18, 19, 23, 24, 26-32, 37, 38, 42-44, 48, 49, 53, 54, 56, 57, 60, 62, 63, 66-69, 71, 74, 77, 78, 80, 81, 86, 89, 90, 93-96, 99, 100, 103, 106, 107, and 109 were rejected under 35 U.S.C. § 103(a) as being obvious from Inoue et al. U.S. Patent No. 5,884,141 ("Inoue") in view of Lortz U.S. Patent No. 6,349,410 ("Lortz").

Claims 7, 9, 34, 36, 65, and 92 were rejected under 35 U.S.C. § 103(a) as being obvious from Inoue in view of Lortz, and in further view of Ismail et al. U.S. Patent No. 6,614,987 ("Ismail").

Claims 12, 17, 39, 45-47, 58, 59, 61, 70, 82-85, 87, 88, 97, and 98 were rejected under 35 U.S.C. § 103(a) as being obvious from Inoue in view of Lortz, and in further view of Baker et al U.S. Patent No. 5,583,561 ("Baker").

Claims 20, 21, 50, 51, 75, and 104 were rejected under 35 U.S.C. § 103(a) as being obvious from Inoue in view

[1] Claims 1-109 and 124-129 are listed as pending in the Office Action summary. However, claims 6, 8, 33, 35, 64, and 91 were canceled in a Reply to Office Action filed July 26, 2007, and claims 110-123 were withdrawn, and not canceled, in a Reply to Office Action filed May 4, 2005. Applicants request that the Examiner correct the claims listing in the next Office communication.

of Lortz, and in further view of Banker et al. U.S. Patent No. 5,357,276 ("Banker").

Claims 22, 25, 52, 55, 72, 73, 76, 79, 101, 102, 105, and 108 were rejected under 35 U.S.C. § 103(a) as being obvious from Inoue in view of Lortz, and in further view of White et al. U.S. Patent No. 6,392,664 ("White").

Claims 124-129 were rejected under 35 U.S.C. § 103(a) as being obvious from Inoue in view of Lortz, and in further view of Armstrong et al. U.S. Patent No. 7,107,173 ("Armstrong").

II. Summary of Applicants' Reply

Applicants have amended independent claims 1, 27, 57, and 81 to more particularly define the invention. Applicants have also amended claims 124, 125, and 127, and canceled claims 15-17 and 43-46. No new matter has been added and the amendments are fully supported by the originally filed specification. Applicants respectfully request reconsideration and allowance in light of the amendments to the claims and the remarks that follow.

III. Applicants' Reply to the Rejections of Claims 1 and 27

Applicants' amended independent claims 1 and 27 are directed to a method and system for substituting pause-time content in place of media that is paused using an interactive

media application. A pause-time content database is provided on user equipment for storing a plurality of pause-time content local to a user, and the user is provided with the ability to pause media. Local to the user, one of the plurality of pause-time content is automatically determined and the determined pause-time content is played while the media is paused.

The Examiner rejected applicants' previously pending claims as being obvious from Inoue in view of Lortz. In particular, in the response to arguments section of the Office Action (page 2), the Examiner contends that applicants' independent claims recite "providing a user with the ability to pause the media local to the user" and "determining pause-time content to display while the media is paused," and that Inoue and Lortz teach these elements. However, applicants' previously pending claims specified that the determining step, and not the ability to pause the media, is performed local to the user. Moreover, applicants argued in the Reply to Office Action, filed July 26, 2007, that neither Inoue nor Lortz shows this claim element, as accurately interpreted. For at least these reasons, applicants respectfully submit that applicants' previously pending claims 1 and 27, as well as applicants' amended

claims 1 and 27, are allowable over Inoue and Lortz, taken alone or in combination.

In the interest of advancing prosecution, applicants have amended independent claims 1 and 27 to specify that the pause-time content stores a plurality of pause-time content local to a user. Thus, claims 1 and 27 have been amended to be similar in scope to previously pending claims 16 and 44, which were also rejected as being obvious from Inoue and Lortz. Applicants' respectfully disagree with the Examiners contentions that Inoue and Lortz show a local pause-time content database.

In support of his contention that Inoue shows a pause-time content database local to the user, the Examiner cites to hard disk 15 (FIG. 1) of Inoue. In particular, the Examiner contends that Inoue's hard disk 15 stores a received program when that program is paused, and that this shows that hard disk 15 locally stores pause-time content (Office Action, page 7). Applicants do not disagree that Inoue's hard disk 15 can store a received program during a pause. However, Inoue specifically discloses that the recorded program stored in hard disk 15 is read back only after a resume command is received, and not during a pause (col. 6, line 38-42). Therefore, Inoue teaches away from using hard disk 15 as a database for storing pause-time content. For at

least this reason, applicants respectfully submit that hard disk 15 fails to show applicants' claimed pause-time content database for storing pause-time content local to the user.

Moreover, applicants respectfully submit that neither Inoue nor Lortz show or suggest that a recorded program stored in hard disk 15, or any other content stored Inoue discloses is stored in hard disk 15, can be retrieved and played during a pause. Inoue only discloses that a currently received program, but not a recorded program, can be displayed during a pause (col. 6, lines 30-33), while Lortz shows that remotely-retrieved web content related to a television broadcast can be displayed during a pause. Therefore, assuming Inoue's hard disk 15 shows applicants' claimed local pause-time content database, which it does not, Inoue and Lortz fail to show or suggest automatically retrieving the pause-time content from the local pause-time content database and playing the automatically retrieved pause-time content while the media is paused, as required by applicants' amended claims 1 and 27.

For at least the foregoing reasons, applicants respectfully submit that applicants' amended claims 1 and 27 are allowable over Inoue and Lortz.

IV. Applicants' Reply to the Rejections of Claims 57 and 81

Applicants' amended independent claims 57 and 81 are directed to a method and system for substituting pause-time content in place of media that is paused using an interactive media application. A user is provided with the ability to pause media. Local to the user, targeted pause-time content is determined based on at least one of monitored user interests and predetermined criteria defined by the user. The targeted pause-time content is played while the media is paused.

The Examiner rejected applicants' previously pending claims, which did not specify targeted pause-time content, as being obvious from Inoue in view of Lortz (Office Action, page 10). Applicants respectfully disagree. However, in the interest of advancing prosecution, applicants have amended independent claims 57 and 81 to specify that, local to the user, targeted pause-time content is determined based on at least one of monitored user interests and predetermined criteria defined by the user. Applicants respectfully submit that targeted pause-time content is not shown or suggested by Inoue and Lortz.

Inoue refers to an on-demand system that displays a current program being received, another program, or a pause graphic screen during a pause (col. 6, lines 30-33). Nowhere

does Inoue show or suggest that these are determined based on monitored user interests or criteria defined by the user, nor that one of these three can be determined local to the user. Accordingly, applicants respectfully submit that claims 57 and 81 are allowable over Inoue.

Lortz refers to a system that embeds URLs linking web content to broadcast TV content into a broadcast TV signal stream (col. 3, lines 32-36). The system can obtain the web content from the most recently received URL for display during a pause. Thus, Lortz provides a system capable of linking web content displayed during a pause to a television broadcast. However, there is no disclosure in Lortz that shows or suggests that the content can be targeted to a particular user, whether by monitoring a user's activities or based on criteria defined by the user. Accordingly, applicants respectfully submit that claims 57 and 81 are allowable over Lortz.

As neither Inoue nor Lortz show or suggest applicants' claimed feature of, local to the user, determining targeted pause-time content to display while the media is paused based on at least one of monitored user interests and predetermined criteria selected by the user, applicants respectfully submit that this feature is not obvious from Inoue and Lortz, taken together.

Previously pending claims 124 and 126, which included a claim element directed to determining pause-time content based on monitored user activity, were rejected as being obvious from Inoue in view of Lortz, and in further view of Armstrong. On page 22 of the Office Action, the Examiner admits that Inoue and Lortz fail to teach monitoring user activity and determining pause-time content based on the monitored user activity. The Examiner contends that Armstrong makes up for this deficiency. Applicants respectfully disagree.

Armstrong refers to a video-on-demand server that provides advertisements to a user set top box for display when a pause command is issued. Although Armstrong's video-on-demand system can select advertisements based on demographic information (col. 5, lines 33-61), Armstrong's system does not determine which advertisement to display local to the user. Rather, Armstrong only discloses that the determination can be made by an advertisement manager at remote server, which then provides the determined advertisement to the user's set top box (col. 7, lines 58-64, FIGS. 1 and 2). Therefore, Armstrong, taken alone or in combination with Inoue and Lortz, fails to show or suggest determining, local to the user, targeted pause-time content to display while the media is paused based on at least one of

monitored user interests and predetermined criteria selected by the user, as specified applicants' amended claims 57 and 81. For at least this reason, applicants respectfully submit that applicants' amended claims 57 and 81 are allowable over Inoue, Lortz, and Armstrong.

V. Applicants' Response to the Rejection of the Dependent Claims

Applicants have shown that independent claims 1, 27, 57, and 81 are allowable over Inoue and Lortz. Dependent claims 2-5, 7, 9-14, 18-26, 28-32, 34, 36-42, 47-56, 58-63, 65-80, 82-90, and 92-109, which variously depend from allowable claims 1, 27, 57, and 81, are also allowable at least because they depend from allowable claims. Applicants respectfully request that the rejections of these claims be withdrawn.

Furthermore, applicants respectfully submit that claims 23, 24, 53, 54, 77, 78, 106, and 107 are allowable for at least the additional reason presented in applicants' July 26, 2007 Reply to Office Action. In particular, on page 40 of applicants' previous Reply, applicants' argued that Lortz fails to show or suggest that a user may select particular types of pause-time content to be presented, as required by applicants' claimed invention, and therefore the

rejection of dependent claims 23, 24, 53, 54, 77, 78, 106 and 107 over Inoue and Lortz should be withdrawn.

VII. Conclusion

In view of the foregoing, claims 1-5, 7, 9-14, 18-26-32, 34, 36-42, 47-63, 65-90, and 92-109 are in condition for allowance. This application is therefore in condition for allowance. Reconsideration and allowance of this application are respectfully requested.

Respectfully submitted,

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